

KENTUCKY BOARD OF CHIROPRACTIC EXAMINERS
SPECIAL MEETING MINUTES
September 11, 2020

A special called meeting of the Kentucky Board Chiropractic Examiners was held at the Department of Public Licensing located at 500 Mero Street, Frankfort, KY 40601 and via Zoom on September 11, 2020.

MEMBERS PRESENT

Dr. Jeffery Smith
Dr. Eric Davis
Dr. James England
Dr. Kelly Cooper-Henson
Dr. Chad Henderson

DEPARTMENT OF PROFESSIONAL LICENSING

Dr. Michael Newman, Commissioner
Robin Vick, Operations Supervisor
Tasha Stewart, Board Administrator

GUESTS

Jason Goodman, Logan University
Jennifer Steward, Palmer College
Nick Payne, KAC

OTHERS

David Trimble, Legal Counsel

CALL TO ORDER

Dr. Smith called the meeting to order at 12:02 p.m. Dr. Smith led the board in a moment of silence to honor those who lost their lives in the 9/11 attacks.

MINUTES

A motion was made by Dr. Davis to approve the minutes from the July 10, 2020 board meeting. Motion seconded by Dr. England, carried.

FINANCIAL STATEMENT

The Board reviewed fiscal year 2020 July and August financial statements with Ms. Vick.

DPL UPDATE

Dr. Newman advised that the Mayo-Underwood building remains closed with no reopen date set. All meetings will continue on Zoom for the time being. Dr. Newman also advised that, despite a security warning, the new website is safe to use. The IT team is working to resolve the security warning. Ms. Stewart will draft and email a letter advising licensees that the website is safe, how they can bypass the security message, and how to obtain the approved CE list until the website is operating at full capacity.

LEGAL COUNSEL

Mr. Trimble presented a written statement the board received regarding its continuing education regulation changes. In the statement, a request was made for all twelve hours of CEs to be obtained online instead of six hours. The board will move forward with six hours as originally proposed and Mr. Trimble will submit a statement of consideration to LRC.

OLD BUISNESS

Dr. Goodman and Ms. Steward explained their respective schools' preceptorship guidelines, including their stance on allowing students to adjust in a preceptorship. Ultimately, both schools try to partner with doctors who will allow their students to adjust.

The board reviewed and approved for Ms. Stewart and Mr. Trimble to transition the jurisprudence course to an on-demand format using CE Zoom.

Ms. Stewart submitted a draft of the Board Member Policy Manual for review. This manual will be distributed to all new board members for their use.

NEW BUSINESS

The board reviewed a hearing officer MOA with the Attorney General's Office. Dr. England made a motion to decline the AG's MOA and use PPC hearing officers instead. Motion seconded by Dr. Henderson, carried.

Dr. England presented his findings from the Secretary of State's business filings that the board received. Dr. England proposed changes to renewal questions 20, 23, and 25, and that the board reissue the SOS filing request letter, this time with information for those who are sole-proprietors. Dr. England also found over 100 chiropractors without a physical address listed. He proposed sending a letter advising them to update their contact information with the board. Dr. Henderson made a motion to accept Dr. England's recommendations with amendments. Motion seconded by Dr. Cooper-Henson, carried.

The board reviewed a late fee waiver request. Dr. England made a motion to deny the request. Motion seconded by Dr. Davis, carried.

The board advised Ms. Stewart to set internal policies for processing fee waiver requests and expungement requests to avoid bringing them to each board meeting.

Dr. Davis made a motion to allow two board members and Mr. Trimble to meet with the Kentucky Veterinarian Board president to discuss animal chiropractic. Motion seconded by Dr. England, carried.

Dr. England made a motion to audit 25 percent of all 2021 renewals. Motion seconded by Dr. Smith, carried.

The board reviewed a request to expunge an old agreed order. Dr. Henderson made the motion to deny the request. Motion seconded by Dr. England, carried.

APPLICATIONS COMMITTEE

The Applications Committee reported one continuing education company is erroneously advertising courses as board approved. Ms. Stewart issued a letter with no reply and will issue a second.

Ms. Stewart reported 1,087 inactive and active licensees. As of the report run time, 34 chiropractic and 16 peer review registry licensees have not completed their annual renewal.

COMPLAINTS COMMITTEE

19-003 - ongoing

2019KBCE00005 – ongoing

2019KBCE00012 – ongoing

2020KBCE00001 – ongoing

2020KBCE00002 – ongoing; Motion made by Dr. Smith to amend to a \$2,500 fine plus jurisprudence class. Motion seconded by Dr. Cooper-Henson, carried.

2020KBCE00003 – ongoing; Motion made by Dr. England to amend to a \$5,000 fine plus jurisprudence class. Motion seconded by Dr. Davis, carried.

2020KBCE00005 – ongoing; Motion made by Dr. Smith to send a letter to the Florida board and leave the case open until the 2021 renewal has passed. Motion seconded by Dr. Henderson, carried.

2020KBCE00006 – dismissed; The complaints committee made a motion and second to dismiss this case and make a referral to the Inspector General's Office, carried.

2020KBCE00007 – ongoing

2020KBCE00008 - ongoing

A motion was made by Dr. Smith to accept the recommendations of the complaints committee with the amendments above. Motion seconded by Dr. Davis, carried.

The complaints committee made a motion and second to hire an investigator. Motion carried.

TRAVEL AND PER DIEM

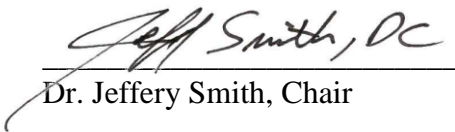
A motion was made by Dr. England to approve the following per diem:

- Drs. Cooper-Henson, Davis, England, Henderson, and Smith – September 11 meeting
- Dr. Davis – July 26 (3 hours – applications review) and August 28 (3 hours – applications review)
- Dr. England – September 7 (3 hours – complaints review and meeting preparation) and September 10 (3 hours – complaints review and meeting preparation)

Motion seconded by Dr. Smith, carried.

ADJOURN

A motion was made by Dr. Henderson to adjourn the meeting at 2:17 p.m. Motion seconded by Dr. England, carried.



Dr. Jeffery Smith, Chair